

### **Detailed Office Action**

#### **Comments**

1. Claims 4 and 10 have been withdrawn by applicant.

#### **Response to Arguments**

2. Applicant's arguments with respect to Claims 1-3, 5-9, and 11-12 have been considered but are moot in view of the new grounds of rejection.

#### **Claim Rejections - 35 USC § 102**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

#### **Claims 1-3, 5-9, and 11-12**

4. Claims 1-3, 5-9, and 11-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Jakobsen et al. (7,155,097; “Jakobsen”).

Regarding Claims 1-3, 5-9 and 11-12, Jakobsen teaches a method of producing a microstructured optical fiber from a monolithic polymeric preform comprising the steps of drilling a plurality of holes to create light-guiding of channels of arbitrary cross-section then drawing in a two-stage drawing process. (See Jakobsen, figs. 2, 3, 4 and 10; col. 18, ll. 9- 18 and 53-57).

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Please refer to Form 892 for additional references cited but not used in this office action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Radkowski whose telephone number is (571) 270-1613. The examiner can normally be reached on Monday - Thursday, 8 AM to 5 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank G. Font, can be reached on (517) 272-2415. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, See <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call (800) 786-9199 (IN USA OR CANADA) or (571) 272-1000.

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